

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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RENE F. FERNANDEZ,

Petitioner,

Case No. 2:12-cv-01810-MMD-GWF

v.

JAMES GREG COX, et al.,

Respondent.

ORDER

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. The petition was dismissed without prejudice on November 17, 2012, for failure to exhaust state court remedies (dkt. no. 7). Petitioner has filed a motion for certificate of appealability (dkt. no. 10). However, as stated in the order dated November 17, 2012, a certificate of appealability was denied (see dkt. no. 7 at 2). Accordingly, petitioner's motion is denied.

IT IS THEREFORE ORDERED that petitioner's motion for a certificate of appealability (dkt. no. 10) is DENIED.

DATED THIS 11<sup>th</sup> day of February 2013.



MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE